

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

\* \* \*

UNITED STATES OF AMERICA,

Plaintiff,

VS.

SEAGRAM JOSHUA MILLER and RAY  
DARNELL WEBB,

### Defendants.

2:13-cr-00184-KJD-VCF

## ORDER

[(1) Plaintiff's Motion to Sever (#27),  
(2) Plaintiff's Motion for Speedy Trial (#28),  
Government's (3) Motion to Strike Defendant's  
*Pro Se* Motion to Sever (#29), and (4) Motion to  
Strike Defendant's *Pro Se* Motion for Speedy Trial  
(#30)]

Before the Court are (1) Plaintiff's Motion to Sever (#27), (2) Plaintiff's Motion for Speedy Trial (#28), Government's (3) Motion to Strike Defendant's *Pro Se* Motion to Sever (#29), and (4) Motion to Strike Defendant's *Pro Se* Motion for Speedy Trial (#30).

## A. Background

Defendant made his initial appearance and arraignment and plea on May 29, 2013 and CJA panel attorney was appointed as counsel of record. (#'s 13 & 15). Defendant was detained and remanded to custody. Defendant pleaded not guilty to Counts 1 to 6. *Id.* Jury trial was scheduled for August 5, 2013. *Id.*

## B. Motions

On June 26, 2013, Defendant filed two motions on his own behalf. (#'s 27 & 28). On July 1, 2013, the Government filed the Motion to Strike Defendant's *Pro Se* Motion to Sever (#29) and Motion to Strike Defendant's *Pro Se* Motion for Speedy Trial (#30). The Government states that Defendant Webb is currently represented by CJA panel attorney, James Hartsell, Esq. *Id.*

### C. Discussion

Pursuant to Local Rule IA 10-6(a), “[a] party who has appeared by attorney cannot while so represented appear or act in the case. An attorney who has appeared for a party shall be recognized by the Court and all the parties as having control of the client’s case.” On this Court’s docket, Mr. Hartsell is currently Defendant Webb’s counsel and has not filed a motion to withdraw as counsel, Defendant may not file motions on his own behalf. *See* Local Rule IA 10-6(a). The motions filed by Defendant as stated above are deemed improper and stricken.

Accordingly,

IT IS ORDERED that the Government's (1) Motion to Strike Defendant's Pro Se Motion to Sever (#29), and (2) Motion to Strike Defendant's Pro Se Motion for Speedy Trial (#30) are GRANTED.

IT IS FURTHER ORDERED that Defendant's Motions (#'s 27 & 28) are hereby STRICKEN.

DATED this 18th day of July, 2013.

Cam Ferenbach  
CAM FERENBACH  
UNITED STATES MAGISTRATE JUDGE